

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MSC MEDITERRANEAN SHIPPING
COMPANY S.A.,

Plaintiff,

-v.-

BALTIC AUTO SHIPPING, INC., et al.,
Defendants.

21 Civ. 7660 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

Following the conference held on March 7, 2023, the Court ordered the parties to submit a joint letter describing, *inter alia*, the status of the Libyan proceeding and “[e]ach Defendant’s position on the impact of a reversal of the Libyan judgment.” ECF No. 146. In the joint letter, Defendants stated that they “believe that a reversal of the Libyan judgment would resolve all claims in this action and prevent MSC from recovering any claimed damages from them.” ECF No. 149 at 3. Plaintiff, however, claims it “has already sustained damages[,] . . . including but not limited to the costs incurred in having to defend the Libyan proceeding.” *Id.* Although Defendants Baltic Auto Shipping, Inc.; Trips Logistics Corp.; International Auto Group Inc.; Marine Transport Logistics, Inc.; and Baltic Auto Shipping, Corp. (collectively, the “Transport Defendants”) indicated they “w[ould] be submitting a joint response,” *id.* at 1, that joint response has not been filed.

By May 17, 2023, the Transport Defendants shall submit their joint response. The Transport Defendants are encouraged to present authorities showing the extent to which Courts stay indemnity actions before issuance and/or payment of a final judgment. While Defendant Trips Logistic Corp.’s original motion, ECF No. 131, argues that the Court can stay this case on prudential ripeness grounds, its lead case, *Ocean World Lines, Inc. v. Unipac Shipping, Inc.*,

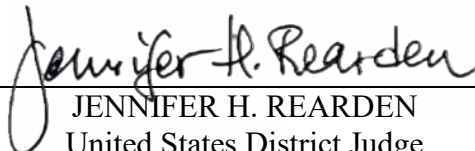
addresses *dismissal* of a case for lack of prudential ripeness. No. 13 Civ. 740, 2016 WL 5339408, at *5 (S.D.N.Y. Mar. 14, 2016).

Plaintiff's reply, if any, shall be filed by May 22, 2023.

SO ORDERED.

Dated: May 8, 2023

New York, New York


JENNIFER H. REARDEN
United States District Judge